IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 16510 of 2007(M)

PETITIONER:

P.G.PADMA KUMAR, VIRURTHIKANDATHIL,
THAMALLAKAL P.O., KUMARAPURAM,
HARIPPAD, KARTHIKAPPALLY TALUK, ALAPPUZHA DIST.

BY ADV. SRI.M.R.ARUN KUMAR

RESPONDENTS:

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1. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, K.S.E.B,
HARIPPAD, ALAPPUZHA DIST.

2. JANAKI, RAGAVIAM VEEDU,
THAMALLAKAL P.O., HARIPPAD.

R1 BY ADV. SRI.P.P.THAJUDEEN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.16510 of 2007

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Dated this the 22th day of August, 2007.

JUDGMENT

The petitioner is challenging Ext.P8 order whereunder the ADM has approved drawal of electric line over petitioner's property for giving connection to the beneficiary. The sketch produced by KSEB shows that only 10 metres overhead line passes over petitioner's property. Moreover, the line is drawn from a post already standing in petitioner's property wherefrom petitioner himself has taken connection. Since petitioner suggested an alternate route i.e. drawing line through one Ponnamma Sukumaran's property, this court directed the Assistant Engineer to conduct inspection and file a report. Standing Counsel informed that drawal of line in the alternate route suggested by the petitioner involves drawing of 55 metres of overhead line over private property and besides Ponnamma Sukumaran, another person's property is also involved. I do not think the petitioner's proposal is acceptable because under the route as approved, the entire line except 10 metres over petitioner's property is passing over road or pathway. Since line is drawn from the electric post already standing in petitioner's property, the grievance projected by the petitioner is not very

serious and in any case that is the least inconvenient route through which line can be drawn for giving connection to the beneficiary. However, if underground cable can be drawn, there will be direction to the Assistant Engineer to draw line through underground cable if supplied by the petitioner. Similarly if the existing post itself can be shifted to the boundary of petitioner's property, KSEB will do it.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms